

AMENDED IN SENATE APRIL 3, 2003
AMENDED IN SENATE MARCH 26, 2003
AMENDED IN SENATE MARCH 12, 2003

SENATE BILL

No. 88

Introduced by Senator Chesbro

January 27, 2003

An act to add Section 23399.6 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 88, as amended, Chesbro. Alcoholic beverages: permits: winegrowers.

Existing law permits the Department of Alcoholic Beverage Control to issue special temporary licenses and permits to various entities for limited purposes.

This bill would permit the department to issue a ~~special~~ *wine sales* event permit to allow a licensee under a winegrower's license to sell bottled wine that is produced by the winegrower at an *approved* event held by a tax-exempt organization for not more than 5 consecutive days ~~at an approved place~~.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23399.6 is added to the Business and
2 Professions Code, to read:

1 23399.6. (a) Any licensee under a winegrower's license may
2 apply to the department for a ~~special~~ *wine sales* event permit. ~~A~~
3 ~~special event permit under a winegrower's license shall authorize,~~
4 ~~at an event held for not more than five consecutive days, at any~~
5 ~~place in the state approved by the department, by an organization~~
6 ~~that is exempt from taxation as described in Section 23701 of the~~
7 ~~Revenue and Taxation Code, the sale of wine in bottles that is~~
8 ~~produced by the winegrower. The permit shall be valid only for the~~
9 ~~one special event period for a maximum of five consecutive days.~~
10 *The wine sales event permit shall authorize the sale of bottled wine*
11 *produced by the winegrower at festivals, county fairs, civic or*
12 *cultural celebrations or similar events approved by the*
13 *department. The sale of the wine may not be the primary purpose*
14 *of the event. The permit shall be valid for a maximum of five*
15 *consecutive days during the event period. The events shall be*
16 *sponsored by an organization that is exempt from taxation, as*
17 *described in Section 23701 of the Revenue and Taxation Code.*
18 (b) (1) The department shall notify the city, county, or city and
19 county where the special event, for which the permit is issued, is
20 to be held within five calendar days from the receipt of the
21 application for the permit.
22 (2) The local agency receiving the notification from the
23 department may object to the issuance of the permit. If the local
24 agency objects to the issuance of the permit, they shall transmit
25 that objection to the department within 15 calendar days of receipt
26 of the notice from the department.
27 (3) The department shall make the determination with regard
28 to the issuance of the permit within five calendar days of receipt
29 of any objection from the local agency or within 30 calendar days
30 from receipt of the application for the permit, whichever comes
31 first.
32 (c) The fee for the permit shall be fifty dollars (\$50).
33 (d) All money collected as fees pursuant to this section shall be
34 deposited in the Alcohol Beverage Control Fund, as described in
35 Section 25761, for allocation, upon appropriation by the
36 Legislature, as provided in subdivision (d) of that section.
37 (e) *The department may adopt any regulations as it determines*
38 *to be necessary for the administration of this section.*

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